

### Land Use Setbacks from Drinking Water Supplies

Land Use Type	Drinking Water Well	Surface Water Source of Public Drinking Water	Rules/Regulatory
<b>Septic System</b>	400' from <i>municipal well</i> 200' from <i>community well</i> 75' from <i>private well</i> Not permitted within protective well radius determined by system size (applies across property lines)	75' from <i>any surface water/reservoir</i>  100' – 125' if special soils under Shoreland Protection Act	Env-Wq 1008.04 Env-Wq 1008.06 RSA 483-B:9
<b>Underground Storage Tank</b> **for new tanks only. Old tanks are grandfathered	<b>Public Wells</b> <ul style="list-style-type: none"> <li>• <i>Gasoline USTs – 500'</i></li> <li>• <i>USTs containing other regulated substances – 400'</i></li> </ul> <b>Private Wells</b> <ul style="list-style-type: none"> <li>• <i>Gasoline USTs – 250'</i></li> <li>• <i>USTs containing other regulated substances – 75'</i></li> </ul>	75' from <i>any surface water</i>	Env-Or 407.06
<b>Above Ground Storage Tank</b> **for AST systems proposed on or after January 21, 2009. Old tanks are grandfathered.	<b>Public Wells</b> <ul style="list-style-type: none"> <li>• <i>Gasoline ASTs – 500'</i></li> <li>• <i>ASTs storing heating oil used only for on premise heating – outside of protective radius</i></li> <li>• <i>ASTs storing oil other than gasoline used only for on premise emergency electrical generation – outside of protective radius</i></li> <li>• <i>ASTs storing all other contents – 400'</i></li> </ul> <b>Private Wells</b> <ul style="list-style-type: none"> <li>• <i>Gasoline ASTs – 250'</i></li> <li>• <i>ASTs storing heating oil used only for on premise heating – 75'</i></li> <li>• <i>ASTs storing oil other than gasoline used only for on premise emergency electrical generation – 75'</i></li> <li>• <i>ASTs storing all other contents – 75'</i></li> </ul>	Gasoline ASTs – 500'  ASTs storing heating oil used only for on premise heating – outside of protective radius  ASTs storing oil other than gasoline used only for on premise emergency electrical generation – outside of protective radius  ASTs storing all other contents – 400'	Env-Or 307.10

<b>Pesticide Application</b>	<p>400' from <i>gravel pack public well</i></p> <p>250' from <i>all other public wells</i></p> <p>special permits can be granted in accordance with Pes 502.04</p> <p>75' from <i>private well</i> (applies to pesticide applications for mosquito control)</p>	<p>Without permit: 250' from reference lines of any surface water source or their tributaries within a 5 mile radius of the intake (within the watershed)</p> <p>Permit may allow application within setback area</p>	<p>Pes 502.04</p> <p>Mosquito: Pes 604.01</p>
<b>Pesticide Storage</b>	<p>400' from <i>public wells</i></p> <p>75 feet from <i>private wells</i></p> <p>If possible, down gradient from water wells</p>	<p>75' from <i>high water mark of any surface water</i></p> <p>If possible, down gradient from surface water</p>	<p>Pes 802.03</p> <p>Bulk Storage: Pes 804.05</p>
<b>Pesticide Mixing</b>	<p>400' from <i>gravel pack public wells</i></p> <p>250' from <i>all other public wells</i></p> <p>75' from <i>private wells</i></p>	<p>75' from <i>any surface water</i></p>	<p>Pes 805.01</p>
<b>Hazardous Waste Storage, Disposal or Treatment Facility</b>	<p>Prohibited within 3000' from zone of contribution of a <i>public well</i></p> <p>Disposal facilities prohibited in wellhead protection area classified as GAA</p> <p>Outdoor storage of hazardous waste – Not within protective radius of <i>any public water supply well</i></p> <p>Outdoor storage of hazardous waste – 75' from <i>private wells</i></p>	<p>Prohibited within 3000' from intake</p> <p>Prohibited in watershed of Class A Rivers</p> <p>Outdoor storage of hazardous waste - 50' from <i>surface waters</i></p>	<p>Env-Hw 304.09(f)</p> <p>Env-Hw 507.01</p> <p>PWS: RSA 485-C:12</p>
<b>Hazardous Waste Landfill</b>	<p>Prohibited within 5000' from zone of contribution of a <i>public well</i></p>	<p>Prohibited within 5000' from intake</p> <p>Prohibited in watershed of Class A Rivers</p>	<p>Env-Hw 304.09(f)</p>
<b>Landfill</b>	<p>Prohibited within WHPA of a <i>community or non-community, non-transient well</i></p>	<p>1000' upgradient from <i>any community drinking water supply reservoir or intake</i></p>	<p>Env-Sw 804.02 and Env-Sw 804.03</p>
<b>Pet Cemeteries</b>	<p>200' from <i>private or community water supply</i></p> <p>400' from <i>municipal water supply</i></p>	<p>200' from <i>private or community water supply</i></p> <p>400' from <i>municipal water supply</i></p>	<p>Env-Sw 810.08</p>
<b>Hazardous Waste Transfer Facilities</b>	<p>Prohibited within 1000' from zone of contribution of a <i>public well</i></p>	<p>Prohibited within 1000' from intake</p> <p>Prohibited in watershed of Class A Rivers</p>	<p>Env-Hw 304.09(f)</p>

<b>Solid Waste Facilities: Transfer/ Recycling/Processing Facilities, Incinerators, etc.</b>	Prohibited in wellhead protection areas classified as GAA	Shoreland Protection Rules prohibit within 250'	RSA 485-C:12 & RSA 483-B:9
<b>Treated Contaminated Soils</b>	Prohibited in recharge area of any sole source drinking water supply	100' from any <i>surface water</i>	Env-Sw 903.05
<b>Buried Stump and Asphalt</b>	75' from <i>any well</i>	75' from any <i>drinking water supply</i>	Env-Sw 101.03 Env-Sw 810.09
<b>Groundwater Discharge Permit Wastewater Facilities: lagoons, spray irrigation etc.</b>	Siting modeled and monitored to assure compliance at property line	Siting modeled and monitored to assure compliance with surface water quality standards	RSA 485-C:13 Env-Wq 402
<b>Biosolids Application – Sludge and Septage</b>	400' from <i>large community wells</i> 300' from <i>all other wells</i>	500' from any <i>drinking water supply</i>	Env-Wq 806.08
<b>On-site Stockpiling of biosolids</b>	Septage, if sealed and covered, or other stockpiling with lined holding – 75' from nearest <i>drinking water well</i> Unlined holding – 500' from <i>nearest drinking water well</i>	500' from <i>surface water drinking water supply</i>	Env-Wq 806.08 Env-Wq 1609.09
<b>Biosolids Facility</b>	500' from <i>any well</i>	500' from any <i>drinking water supply</i>	Env-Wq 808.08
<b>Outdoor Storage of Regulated Substances in Regulated Containers</b>	75' from <i>private wells</i> Prohibited within protective radius of <i>public wells</i>	50' from <i>surface waters</i>	Env-Wq 401.04
<b>Junkyards</b>	Prohibited in WHPAs classified as GAA	Shoreland Protection Rules prohibit within 250'	RSA 485-C:12 RSA 483-B:9
<b>Salt Storage</b>	Prohibited in WHPAs classified as GAA	Shoreland Protection Rules prohibit within 250'	RSA 485-C:12 & RSA 483-B:9
<b>Snow Dump</b>	Prohibited in wellhead protection areas classified as GAA	None	RSA 485-C:12
<b>Livestock Burial</b>	200' – 400' from <i>wellhead</i> depending on slope and vegetative cover	100' – 300' from any <i>surface water</i> depending on slope and vegetative cover	RSA 431:33-35 Manual of Best Management Practices (BMPs) for Agriculture in NH, p.28

Notes: Most land uses are prohibited within 200-400 feet of new community water supply wells because the water supplier must own or control this area. There are many existing wells, however, that are not protected by this “sanitary protective radius.”

NH's Shoreland Water Quality Protection Act setback only applies to certain rivers (fourth order rivers) and great ponds (greater than 10 acres).